

November 3, 2010

TO: Teresa Parsons, SPHR
Director's Review Program Supervisor

FROM: Kris Brophy, SPHR
Director's Review Investigator

SUBJECT: Susan Finnestad v. Green River Community College
Allocation Review Request ALLO-10-007

Director's Determination

This position review was based on the work performed for the six-month period prior to May 20, 2009, the date Green River Community College Human Resources received the request for a position review. As the Director's Review Investigator, I carefully considered all of the documentation in the file, the exhibits, and the verbal comments provided by both parties during the review telephone conference. Based on my review and analysis of Ms. Finnestad's assigned duties and responsibilities, I conclude her position is properly allocated to the Program Coordinator classification.

Background

On May 20, 2009, Green River Community College's human resource office received Ms. Finnestad's Position Review Request (PRR) form asking that her position be reallocated to a Program Support Supervisor classification. Ms. Finnestad signed the form on January 30, 2009. Her supervisor completed and signed the supervisor's portion of the form on May 19, 2009.

On January 4, 2010 Green River Community College notified Ms. Finnestad that her position was properly allocated as a Program Coordinator (Exhibit B-1).

On February 3, 2010, the Department of Personnel received Ms. Finnestad's request for a Director's review of Green River Community College's allocation determination (Exhibit A-1).

On September 1, 2010, I conducted a Director's review telephone conference. Present during the call were Susan Finnestad; Robin Ledbetter, Council Representative, WFSE; Barbara Iribarren, Human Resource Generalist; and Jessica Gilmore, Supervisor, Academic Standards.

The parties submitted additional information following the review telephone conference. The last submittal was on October 19, 2010. This information has been added as Director's exhibits to the record.

Rationale for Director's Determination

The purpose of a position review is to determine which classification best describes the overall duties and responsibilities of a position. A position review is neither a measurement of the volume of work performed, nor an evaluation of the expertise with which that work is performed. A position review is a comparison of the duties and responsibilities of a particular position to the available classification specifications. This review results in a determination of the class that best describes the overall duties and responsibilities of the position. Liddle-Stamper v. Washington State University, PAB Case No. 3722-A2 (1994).

Duties and Responsibilities

Ms. Finnestad provides program coordination support for the Academic Standards (AS) program at Green River Community College. Students who are not meeting the college's academic standards are placed into the AS program which restricts the student's ability to register and take classes. Ms. Finnestad serves as the prime contact for the students entering and working through the AS process. Ms. Finnestad explains program requirements and procedures, makes notations on their records, and explains and gives direction regarding what procedures to follow to sign up for classes. As part of her duties, Ms. Finnestad maintains, monitors and generates reports, generates and sends notification letters to students regarding the academic probation process, and coordinates AS advisor assignments and performs other administrative functions. She is responsible for directing work study students who provide daily coverage to the department's front desk.

Ms. Finnestad's duties and responsibilities are summarized from the PRR (Exhibit B-3) as follows:

55% Supervise front desk work study staff: Interview and recommend selection of staff. Call references before hiring and call employee to offer them the position. Train new employees, assign and schedule work schedules, assign tasks, monitor leave requests and sign time sheets. Schedule time to meet with employees to review performance and recommend disciplinary action if needed.

Academic Standards (AS) process: Responsible for the AS process from start to finish. Run reports from the HP 3000. Assign new students on AS to an advisor. Run reports for our AS Alert, Intervention and Restriction students and clean up the lists before sending out letters. Code students on the unusual action screen with PB for probation. Proofread letters and flyers. Mail merge letters and data. Stuff letters and organize them by zip codes and attach a zip code report. This process starts right after grades are posted.

Early Alert Process: Run a report from STAR that gives the name[s] of students on alert. Notify students and code the students on the unusual action screen in the HP 3000 with EA for Early Alert.

New Student Advising (NSA) orientation: Create articles for the Gatornet and post NSA dates on the N drive so other departments can refer to the dates when advising new students. Determine whether a student needs to go for an orientation or make an individual appointment with an advisor. Run reports from the Gatornet listing the students attending the orientations. Create a sheet for each potential student that has their compass scores and PIN. Make sure students on the list are new students. Ensure enough packets are available for student orientations. Oversee the NSA attendance report.

Oversee Web Page: Oversee the Career and Advising Center Web page making sure changes are posted. Proofread pages for posting.

Assisting Director: Scheduling webinars – order webinars, contact IT and telecommunication manager to make sure everything is working before it starts. Work with IT when there is a problem with computers or printers. Use copier, update flyers, schedule rooms for meetings, complete other reports and projects as assigned.

- 15% Customer Service: Schedule appointment for customers. Explain services at the front desk and on the phone and intake incoming customers to ensure access to the appropriate resource and/or funding within the college. Assist customers in using office resources. Assist all special populations who come to the CAC.
- 20% Letters/Flyers/Reports: Academic Standard (AS); Early Alert (EA); New Student Advising (NSA). Proof read letters, flyers, and/or creating reports.
- 10% Budget – Monitor, reconcile, maintain, research and project expenditures for 2 CAC budgets. Personal service contracts, webinars, arranging travel, conferences, keeping inventory and ordering equipment, supplies, materials, etc. Work with RS budget.

Summary of Ms. Finnestad's Perspective

Ms. Finnestad asserts she performs the work of a Program Support Supervisor 1 by supervising the department's front desk work study students, managing the AS process, overseeing the NSA orientation process, and balancing departmental budgets. She contends her supervisory duties for the work study students includes assigning and scheduling work, acting upon leave requests, providing training, giving verbal performance evaluations, and addressing performance issues when necessary, which may include termination.

Summary of Green River Community College's Reasoning

Green River Community College (GRCC) asserts the level of work direction Ms. Finnestad provides to the department's work study students does not reach the full scope of supervisory authority required for allocation to a Program Support Supervisor level class. GRCC asserts the work study student program does not have formal processes in place for work study students for granting leave approval, approving work schedule changes, and conducting performance evaluations. GRCC asserts there is no disciplinary process for

work study student employment. GRCC contends Ms. Finnestad's budget monitoring responsibilities are limited to entering and coding budget items into the college's computer system.

Green River Community College contends Ms. Finnestad's duties and responsibilities are consistent with the Program Coordinator class.

Comparison of Duties to Class Specifications

When comparing the assignment of work and level of responsibility to the available class specifications, the class series concept (if one exists) followed by definition and distinguishing characteristics are primary considerations. While examples of typical work identified in a class specification do not form the basis for an allocation, they lend support to the work envisioned within a classification.

Comparison of Duties to Program Support Supervisor 1

The Definition for Program Support Supervisor 1 states:

Supervise support staff involved in the performance of duties associated with a highly specialized or technical program(s). Coordinate the operation of a specialized or technical program(s). Act as liaison between the program and outside organizations.

The Distinguishing Characteristics state in relevant part:

With delegated authority, interview and recommend selection of applicants, train new employees, assign and schedule work, act upon leave requests, conduct annual performance evaluations and recommend disciplinary action.

. . .

Historically, the former Higher Education Personnel Board (HEPB) relied on three components for determining whether a position tasked with supervising student workers met the same standard as a position supervising classified staff. The three components included the definition of supervisor, the intent of the related class specification, and whether the collective hours of student supervision equated to one FTE. Udovich, Arrington, and Pittman v. The Evergreen State College. HEPB Nos. 3607, 3608, and 3609 (1992). Both the former Personnel Appeals Board (PAB) and the Personnel Resources Board (PRB) have applied similar criteria when considering supervisory or lead responsibilities.

The PRB has addressed the one FTE standard applied by previous Boards. The PRB agreed "there must be a threshold which can be objectively applied to each set of duties and responsibilities when determining the appropriateness of allocation to a lead or supervisory class." The PRB further concurred "the established threshold of 1.0 FTE should continue to be used as the basis for determining the appropriateness of allocation to a lead or supervisory class." Tacoma Community College v. Edward Harmon, PRB Case No. R-ALLO-08-012

(2008), citing Halcomb v. Shoreline Community College, Higher Education Personnel Board (HEPB) Case No. 3453 (1992); Baker v. University of Washington Health Services, Personnel Appeals Board (PAB), Case No. 3821-A3 (1994); and Washington State University v. Marc Anderson, PAB Case No. ALLO-04-005 (2004).

Therefore, in order to meet the definition of supervisor, an incumbent must have full supervisory responsibility and supervise a minimum of one full-time equivalent (FTE) employee.

The Department of Personnel (DOP) Glossary of terms for Classification, Compensation, & Management defines **supervisor** as follows:

An employee who is assigned responsibility by management to participate in all of the following functions with respect to their subordinate employees:

- Selecting staff
- Training and development
- Planning and assignment of work
- Evaluating performance
- Resolving grievances
- Taking corrective action

Participation in these functions is not routine and requires the exercise of individual judgment.

In a more recent decision, the PRB provided further guidance on the definition of supervision. The PRB determined that “[s]upervision of an organization typically includes setting organizational goals, developing plans to meet goals and objectives, developing policies and procedures, preparing budgets, adjusting and authorizing expenditures, controlling the allocation of program resources, and the supervision of staff.” Dawson v. South Puget Sound Community College, PRB Case No. R-ALLO-08-001 (2008).

In Dawson, the Appellant argued that he performed supervisory responsibilities for contract, part-time and work-study staff. However, the PRB determined his position provided “on-the-job work instruction” but did not “perform training and development at a level expected of a supervisor.” While the PRB concluded the Appellant had oversight of the daily work, provided feedback, and responded to service complaints related to the service provided, he did not conduct formal performance evaluations or adjust formal grievances. As a result, the PRB determined the Appellant’s position was properly allocated to a lead classification.

Ms. Finnestad’s duties are best described as providing on-the-job work instruction and direction to work-study staff. The work study students staff the front desk, assisting students in scheduling appointments and offering other departmental services. Ms. Finnestad coordinates their work schedules and leave requests to make sure there is adequate coverage. Ms. Finnestad stated she makes verbal agreements with the work study students regarding leave issues, and has authority to make decisions regarding day-to-day front desk operations. Ms. Finnestad provides work guidance and direction and provides training to make sure they are able to assist customers with scheduling

appointments, answering general questions, and directing students to the right departments.

Ms. Finnestad acknowledged during the review telephone conference that the college's process for hiring, evaluating performance, and scheduling and approving leave for work study students is different from the process used for permanent employees.

With regard to hiring, Ms. Iribarren stated work study students are hired through the college's financial aid office. Ms. Finnestad stated that work study students applying to her department generally complete a part-time employee application form and submit a resume. Ms. Finnestad stated she normally reviews the application and resume. She stated that some of the time she made the hiring decisions on her own; at other times she would make a recommendation to her supervisor.

Ms. Finnestad stated the evaluation process consists of providing verbal feedback to employees, and she provides training to employees on processes and procedures, and checks their work. She indicated that she talks with employees about performance and that she may give a verbal reprimand, if necessary. She stated that her supervisor may be involved to discuss issues or problems with an employee if she believes it is necessary for her supervisor to be involved. She also sets the work schedule for the employees to ensure the front desk is covered. As a result, employees make requests for time off through her, so that she can plan accordingly.

While Ms. Finnestad performs some of the functions of a supervisor, the overall level of responsibility of her position, and the scope of her responsibilities for hiring, evaluating and correcting performance is more in line with a lead position. Although performance evaluations may be performed in a way that differs from the Performance Development Plan (PDP) process, the evaluation process requires more in-depth assessment than assigning, training, checking the work of employees, and providing verbal feedback.

Ms. Finnestad has responsibility for scheduling and assigning work, acting informally upon leave requests, providing training regarding proper office procedures and practices, and verifying timesheets for payroll purposes. However, Ms. Finnestad does not have delegated supervisory authority and responsibility for conducting formal performance evaluations, adjusting formal grievances or taking formal corrective actions as required for allocation to a supervisory classification.

GRCC submitted a summary of hours worked for the four work study students who provided front desk coverage and worked under Ms. Finnestad's direction for the review time period. Based on the records provided by the college, Ms. Finnestad signed time sheets for three of the four work study students. However, the full time equivalency of all four work study students for which she provided work direction is less than 1 FTE. The total hours worked for the six-month period from February 2008 through May 2009 was .673 FTE (Exhibit D-6).

Based on the information provided, Ms. Finnestad's position does not perform the full scope and level of supervisory activities required for allocation to the Program Support Supervisor 1 class.

Comparison of Duties to Program Coordinator

The Class Series Concept for the Program class series states:

Perform work requiring knowledge and experience that is specific to a program. Organize and perform work related to program operations independent of the daily administrative office needs of the supervisor. Represent the program to clients, participants and/or members of the public. A program is a specialized area with specific complex components and discrete tasks which distinguish it from the main body of an organization. A program is specific to a particular subject. The specialized tasks involve interpretation of policies, procedures and regulations, budget coordination/administration, independent functioning and typically, public contact. Duties are not of a general support nature transferable from one program to another. Performance of clerical duties is in support of incumbent's performance of specialized tasks.

The Definition for the Program Coordinator classification states: "[c]oordinate the operation of a specialized or technical program."

The Distinguishing Characteristics for the Program Coordinator classification state:

Under general direction, perform work using knowledge and experience specific to the program. Exercise independent judgment in interpreting and applying rules and regulations. Independently advise students, staff, program participants and/or the public regarding program content, policies, procedures and activities; select/ recommend alternative courses of action and either:

(1) Project, monitor, maintain, initiate and/or approve expenditures on program budgets

OR

(2) Have extensive involvement with students, staff, the public and/or agencies in carrying out program activities, and coordinate, schedule and monitor program activities to determine consistency with program goals.

The Department of Personnel (DOP) Glossary of terms for Classification, Compensation, & Management defines working under general direction as:

Performs assignments within established policies and objectives. Incumbents plan and organize the work, determine the work methods, and assist in determining priorities and deadlines. Completed work is reviewed for effectiveness in producing expected results.

Ms. Finnestad's position closely matches the Class Series Concept, Definition, and Distinguishing Characteristics of the Program Coordinator classification.

Ms. Finnestad works under general direction and relieves her supervisor of the day-to-day clerical and front desk operations of the Academic Standards program at GRCC. She uses her specialized knowledge to independently carry out administrative support activities for the program. She exercises independent judgment in interpreting and applying rules, policies and procedures related to the program. She serves as the primary contact for students in scheduling and coordinating appointments with AS counselors. This involves extensive contact with students and staff in carrying out program activities.

Ms. Finnestad's overall level of responsibility and decision making authority, as well as her responsibility for coordinating the administrative scheduling and reporting functions within the AS program fit within the Program Coordinator classification.

When determining the appropriate classification for a specific position, the duties and responsibilities of that position must be considered in their entirety and the position must be allocated to the classification that provides the best fit overall for the majority of the position's duties and responsibilities. Dudley v. Dept. of Labor and Industries, PRB Case No. R-ALLO-07-007 (2007).

In this case, the majority of the duties assigned to Ms. Finnestad's position and her level of responsibility and delegated authority are best described by the Program Coordinator classification. Ms. Finnestad's position should remain allocated to the Program Coordinator Class.

Appeal Rights

RCW 41.06.170 governs the right to appeal. RCW 41.06.170(4) provides, in relevant part, the following:

An employee incumbent in a position at the time of its allocation or reallocation, or the agency utilizing the position, may appeal the allocation or reallocation to . . . the Washington personnel resources board Notice of such appeal must be filed in writing within thirty days of the action from which appeal is taken.

The mailing address for the Personnel Resources Board (PRB) is P.O. Box 40911, Olympia, Washington, 98504-0911. The PRB Office is located at 600 South Franklin, Olympia, Washington. The main telephone number is (360) 664-0388, and the fax number is (360) 753-0139.

If no further action is taken, the Director's determination becomes final.

c: Sue Finnestad
Robin Ledbetter, WFSE
Barbara Iribarren, GRCC
Lisa Skriletz, DOP

Enclosure: List of Exhibits

Susan Finnestad v. Green River Community College
ALLO-10-007

A. Susan Finnestad Exhibits

1. Request for Director's Review dated February 3, 2010, with attached letter of request from Susan Finnestad dated January 28, 2010.
2. Timeline for Position Reallocation by Sue Finnestad dated January 19, 2010.
3. A document submitted by Barbara Iribarren regarding the position reallocation history of Ms. Finnestad's position reallocation request.
4. Green River Phone Directory – A page from the directory to indicate that her position was previously identified as a Program Support Supervisor position.
5. Budget Information – A letter indicating a budget transfer request that Sue Finnestad processed.
6. Sarah Budget – An email documenting an employee's reimbursement budget coding change.
7. EA Report – Email from Sue Finnestad showing she continues to work with faculty and students after a report is finished.
8. Budget Transfer - An email showing responsibility for processing budget transfers.
9. FSOCC Budget - Email demonstrating responsibility for registering co-workers for conferences.
10. IT Order – Email demonstrating responsibility for contacting IT and making sure the computers, printers, etc. were in working order.
11. PC Assessment – Email demonstrating responsibility to approve work orders.
12. Ricardo Budget – Email to staff indicating that Sue Finnestad will cover travel and purchases while a new employee was being hired.
13. Assessment – Email showing responsibility for ordering assessments.
14. Department Conference – Email showing responsibility for making arrangements for the department to attend a conference.
15. Conference – Email showing responsibility for paperwork and budget for others in the department.
16. Food for the Fair – Email showing responsibility for paperwork and budget for others in the department.
17. Advisor Assignment – Document showing responsibility for assigning advisor for students on the AS.
18. Webinar - Emails demonstrating responsibility for setting up webinars for the department.
19. Report Requested – Email requesting Susan Finnestad to run a report off the HP 3000.

20. Work Orders IT – Email showing decision making responsibility for IT work orders.
21. AS Report – Email documenting responsibility for taking over a portion of a report for another employee.

B. Green River Community College Exhibits

1. Request for Reallocation denial memorandum from Barbara Iribarren to Susan Finnestad, January 4, 2010
2. Reallocation denial email from Barbara Iribarren to Leslie Hogan, Vice President of Human Services, January 4, 2010
3. Position Review Request, May 20, 2009
4. February 2009 Job Description

C. Class Specifications

1. Program Coordinator (107N)
2. Program Support Supervisor 1 (107P)
3. Program Support Supervisor 2 (107Q)

D. Directors Exhibits

1. Email from Robin Ledbetter to Kris Brophy dated September 10, 2010 enclosing instructions and online process procedures for the Academic Standards process.
2. Email from Sue Finnestad to Kris Brophy dated September 20, 2010 submitting information regarding the Academic Standards report generation process.
3. Email from Barbara Iribarren to Kris Brophy dated September 21, 2010 containing a spreadsheet of the work study students working in the department.
4. Email response to the spreadsheet from Sue Finnestad to Barbara Iribarren dated October 8, 2010.
5. Email from Barbara Iribarren to Sue Finnestad dated October 8, indicating she will add Molly Carlson to the list of work study students.
6. Email from Barbara Iribarren to Kris Brophy dated October 19, 2010 enclosing the work study student hours of work spreadsheet. (Copy of spreadsheet attached).